

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:	
PARENTS ON BEHALF OF STUDENT,	OAH Case No. 2015010127
v.	
LOS ANGELES UNIFIED SCHOOL DISTRICT,	
<hr/>	
LOS ANGELES UNIFIED SCHOOL DISTRICT,	OAH Case No. 2014120973
v.	
PARENTS ON BEHALF OF STUDENT.	ORDER GRANTING JOINT MOTION TO CONSOLIDATE AND VACATING DATES IN OAH CASE NO. 2014120973

On December 22, 2014, Los Angeles Unified School District filed a Request for Due Process Hearing in OAH case number 2014120973 (First Case), naming Parents and Student (collectively, Student).

On January 5, 2015, Student filed a Request for Due Process Process Hearing in OAH case number 2015010127 (Second Case), naming District.

On January 6, 2015, the parties filed a Stipulation to Consolidate the First Case with the Second Case, to vacate the due process hearing date set in the First Case, and to schedule new dates for the consolidated cases (Joint Motion).¹

Consolidation

Although no statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases, OAH will generally consolidate matters that involve: a common question of law and/or fact; the same parties; and when consolidation of the matters furthers the interests of judicial economy by saving time or preventing inconsistent rulings. (See Gov. Code, § 11507.3, subd. (a) [administrative

¹ On January 5, 2015, Student filed a separate Motion to Continue the First Case. As a result of the ruling on this Joint Motion, the Student's separate Motion to Continue is moot.

proceedings may be consolidated if they involve a common question of law or fact]; Code of Civ. Proc., § 1048, subd. (a) [same applies to civil cases].)

Here, the First Case and Second Case involve common questions of law or fact, including whether the May 28, 2014 Individualized Education Program offered Student a FAPE. In addition, consolidation furthers the interests of judicial economy because the same witnesses and evidence would be presented by the same parties with respect to both cases. Accordingly, consolidation is granted.²

ORDER

1. The Joint Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 2014120973 (First Case) are vacated.
3. All dates set in OAH Case Number 2015010127 (Second Case) shall remain as scheduled. The 45-day timeline for issuance of the decision in the consolidated cases shall be based on the date of the filing of the complaint in OAH Case Number 2015010127 (Second Case).

DATE: January 6, 2015

/s/

ELSA H. JONES
Administrative Law Judge
Office of Administrative Hearings

² The Joint Motion requested that OAH schedule new dates for the consolidated cases. At the time the Joint Motion was filed, no dates had been scheduled for the Second Case. As of the date of this Order, however, OAH had issued a Scheduling Order for the Second Case. Therefore, at this time there is no need for OAH to schedule new dates as requested, and this request is therefore denied without prejudice.